

Notice Of Statutory Exemption

Acquisition of Water From The Oroville-Wyandotte Irrigation District For The Environmental Water Account

**State of California
The Resources Agency
DEPARTMENT OF WATER RESOURCES**

December 4, 2000

State of California
The Resources Agency
DEPARTMENT OF WATER RESOURCES

NOTICE OF STATUTORY EXEMPTION

**Acquisition of Water From The Oroville-Wyandotte Irrigation District
By The California Department Of Water Resources
For the Environmental Water Account**

Project Description: To provide water for the Environmental Water Account during 2000, the California Department of Water Resources proposes to purchase ten thousand acre-feet of water from the Oroville-Wyandotte Irrigation District (OWID). OWID will release the water from its reservoirs on the South Fork Feather River in December 2000. The Department Of Water Resources will store the water in Oroville Reservoir and contribute the water to the Environmental Water Account (EWA).

The Finding: Pursuant to California Water Code Section 1729 and California Code of Regulation Section 15282 (v) , the project is statutorily exempt.

All comments or questions should be directed to The California Department of Water Resources, c/o Delores Brown, Environmental Services Office, 3251 "S" Street, Sacramento, CA 95816-7017 (916/227-2407 and fax 916/227-7554).

Barbara J. McDonnell
Barbara J. McDonnell
Chief, Environmental Services Office

Date December 4, 2000

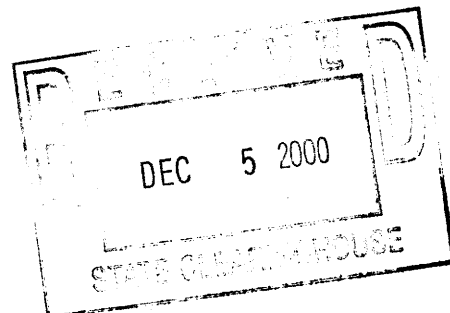


TABLE OF CONTENTS

NOTICE OF STATUTORY EXEMPTION	1
I. INTRODUCTION	1
Purpose and Need for Action	1
Scheduling Use of EWA Assets during Water Year 2001	2
CEQA Compliance	3
II. PROJECT DESCRIPTION	5
III. PROJECT LOCATION.	6
IV. NAMES OF PREPARERS.	6

APPENDIX A – Overview of the Four-Year EWA Program

APPENDIX B – Overview of First Year EWA Operation

APPENDIX C – Petition for Temporary Change

APPENDIX D – USBR letter to USFWS on EWA water in San Luis from CVP

Notice of Statutory Exemption

The CALFED Bay Delta Program identified several components to a long-term comprehensive plan to restore the ecological health and improve water management for beneficial uses of the San Francisco Bay/Sacramento-San Joaquin Delta estuary system in its *Final Programmatic Environmental Impact Statement/Environmental Impact Report* (July 2000). The EIS/EIR is intended to provide future lead agencies, responsible agencies, and stakeholder agencies a starting point from which a range of actions can be specifically reviewed, evaluated, and implemented.

The CALFED Bay-Delta Program Record of Decision¹ (ROD) describes the acquisition of supplemental water supplies and other related assets that will be used to create the Environmental Water Account (EWA). The EWA will acquire and use assets to efficiently manage water for environmental purposes while decreasing conflicts in use of water in the Bay-Delta estuary. EWA implementation, existing fish protection measures, and a more flexible approach to management of water operations will achieve substantial fish recovery opportunities while providing improvements in water supply reliability and water quality. This Notice of Statutory Exemption describes the acquisition of water from Oroville-Wyandotte Irrigation District (asset acquisition north of the Delta) that the California Department of Water Resources (Department) will contribute to the EWA.

I. INTRODUCTION

Purpose and Need for Action

The purpose of the EWA is to promote flexible water project management to provide additional protection and recovery of the fisheries of the San Francisco Bay/Sacramento-San Joaquin Delta estuary. To accomplish this purpose, the EWA will incorporate environmentally beneficial changes to the operation of the State Water Project (SWP) and the Central Valley Project (CVP), at no water cost to the projects' water users. The EWA is intended to provide sufficient protections, combined with the Ecosystem Restoration Program and the regulatory baseline, to address CALFED's fishery protection and restoration/recovery needs. This approach to fish protection requires the acquisition of alternative sources of project water supply, called "EWA assets" which will be used to:

- augment streamflows and Delta outflows;
- modify exports to provide fishery benefits during critical life history periods; and
- replace project water supply interrupted by the changes to project operations.

¹ CALFED Bay-Delta Program. 2000. Programmatic Record of Decision. August 2000. Sacramento, CA.

The EWA water will compensate for reductions in deliveries relative to existing facilities, project operations, above the regulatory baseline as defined in the ROD². The EWA will not be used to meet any new regulatory requirements under statutes other than the Federal Endangered Species Act and the California Endangered Species Act.

The EWA is a cooperative management program involving five agencies that have responsibility for implementing the EWA. The three Management Agencies (MA), the U.S. Fish and Wildlife Service (USFWS), the National Marine Fisheries Service (NMFS), and the California Department of Fish and Game (DFG), have primary responsibility for managing the EWA assets and exercising their biological judgment to determine what SWP/CVP operational changes are beneficial to the Bay-Delta ecosystem and/or the long-term survival of fish species, including those listed under the State and Federal Endangered Species Acts. The two Project Agencies (PA) are the U.S Bureau of Reclamation (Reclamation) and the California Department of Water Resources (The Department). The Project Agencies will cooperate with the Management Agencies in administering the EWA, including banking, borrowing, transferring, selling, and arranging for the conveyance of EWA assets, and making the operational changes proposed by the Management Agencies when possible and feasible. The EWA will be in effect for the first four years of Stage 1³ of the CALFED Bay-Delta Program. The Department will for acquiring EWA assets for the first year (2001). After the first year, acquisitions may be made using a public process that may employ other agencies or third parties to acquire assets.

For the first year, State funding and State facilities will be used to create an operable EWA⁴. During years two through four of the EWA, both federal and State actions will be required to ensure the purposes of the EWA are met. CEQA compliance will be required for all first year actions. CEQA and NEPA compliance will be required for EWA actions implemented in years two through four.

Scheduling Use of EWA Assets during Water Year 2001

The timing of targeted fishery resources within the affected streams will depend on a number of environmental factors (photoperiod, Delta outflow, temperature, etc). The periods of greatest vulnerability to aquatic resources in the Delta vary from year to year. Coordination through the CALFED Operations Group and the (b)(2) Implementation Team meetings will be conducted monthly to optimize all environmental water for fishery benefits. Using an adaptive management approach, EWA assets will be scheduled by the Management Agencies in coordination with the Project Agencies. Decisions designed to protect species such as chinook salmon, Delta smelt, and splittail will be made based on real-time assessments of relative risk and benefit. The following operational scenario could be used for Water Year 2001 EWA and (b)(2) actions. It

² Appendix A contains an overview of the four-year EWA program.

³ Stage 1 implementation covers the first seven years of implementation of the CALFED 30-year program and builds the foundation for long-term actions. The Stage 1 actions to implement the Preferred Program Alternative are described in the Record of Decision. These actions are dependent upon subsequent project-specific environmental analyses as well as on subsequent review of financial and legislative proposals by the State and Federal executive branches, Congress and the State Legislature.

⁴ Appendix B contains an overview of proposed EWA first year operations.

should be emphasized that the following example is highly provisional; actual actions will be based upon biological factors and hydrologic conditions. Starting in December, a number of upstream and Delta planned actions could be implemented. These planned actions could include adjusting the allowable export-to-inflow ratio to pump water for the EWA. Starting as early as December 2000 or January 2001, about 300,000 acre-feet of export curtailments would be planned for implementation. About half of the amount would be debited against (b)(2) and half against EWA. SWP exports may be reduced by up to 100,000 acre-feet using available EWA assets. Similarly, CVP exports may be reduced by up to 100,000 acre-feet using (b)(2).

In January, actions would focus on improving the survival of juvenile salmon emigrating through the Delta. This would be accomplished by curtailing project exports during critical periods to increase the survival of juvenile salmon. Again, the timing and duration would be determined by a combination of biological factors and the quantity of (b)(2) and EWA assets that are available.

To ensure survival of sensitive fish species, during February and March, the projects would curtail exports when fish densities are high near the pumps. In dry conditions, this objective probably could not be met due to a lack of EWA assets. The amount of curtailment that could be implemented during February and March is anticipated to be about 50,000 acre-feet.

In April and May both (b)(2) and EWA assets would be used to reduce exports before and after the VAMP⁵ period. Assets would also be used to fill San Luis Reservoir.

During June and July, exports would reduce pumping to avoid high salvage if sensitive species, such as delta smelt and splittail, are present. About 100,000 acre-feet of EWA water may be available under wet conditions to allow for additional export reductions. Additional export reductions, may be covered by (b)(2) assets. For the most part, upstream actions during water year 2001 would involve water releases from reservoirs to improve instream flow conditions for migration, spawning, egg incubation, rearing, and juvenile emigration of anadromous fish.

CEQA Compliance

The California Environmental Quality Act, California Public Resources Code sections 21000 et. seq. (CEQA), requires that prior to deciding to implement a project, environmental effects of the project must be described and appropriately addressed. However, as described in California Code of Regulation Section 15282 (v) and Water Code Section 1729, temporary water transfers of up to one year in duration are statutorily exempt from CEQA. Since the Project Description included below discusses

⁵ Vernalis Adaptive Management Program (VAMP): Under dry conditions (90% hydrology), CVP and SWP exports will be reduced to a combined total of 1,500 cfs for 31 days. Under normal conditions (50% hydrology), exports will be reduced to 2,250 cfs for 3 days. The reduction will be accomplished using a combination of (b)(2) and EWA assets. For example, (b)(2) will be used to reduce CVP exports and SWP exports from the "2:1" level contained in the delta smelt biological opinion down to the SWP share of the export objective during the VAMP period. The difference between "1:1" and "2:1" will be covered by the EWA.

actions to be taken by the Department to secure a particular water supply as part of a temporary water transfer for a duration of less than one year, the project fits the criteria for Water Code Section 1729 and is statutorily exempt. The Department will prepare additional environmental documentation for the acquisition of other EWA assets, including other Statutory Exemptions, Initial Studies with Negative Declarations, Mitigated Negative Declarations, or Environmental Impact Reports, as appropriate. The Project Location Section describes the major project features and substantiates the cited CEQA exemption.

II. PROJECT DESCRIPTION

To provide water for the Environmental Water Account during 2001, the Department proposes to purchase ten thousand acre-feet of water from the Oroville-Wyandotte Irrigation District (OWID). The Department will contribute the water to the Environmental Water Account (EWA) to assure effectiveness of the EWA and provide assurances for SWP and Central Valley Project (CVP) water supplies and deliveries.

OWID temporarily transferred water to Westlands Water District in 1990 and transferred water to the State Drought Water Bank in 1991, 1992, and 1994. This proposed transfer to the Department in 2000 is similar to the preceding transfers.

OWID Deliveries To The Department. OWID will supply water to the Department from storage facilities on the South Fork Feather River in Plumas County, including Little Grass Valley Reservoir, Sly Creek Reservoir, and Ponderosa Reservoir. These facilities are part of OWID's South Fork Project (SFP), and OWID will modify normal storage and water release operations of these facilities to provide water for purchase by the Department.

As described in this document, OWID will draw down Little Grass Valley Reservoir to 40,000 acre-feet maximum storage and Sly Creek Reservoir to 10,000 acre-feet maximum storage by December 31, 2000. OWID's normal carry-over storage is 48,000 acre-feet for Little Grass Valley Reservoir and 12,000 acre-feet for Sly Creek Reservoir. Minimum reservoir storage for Little Grass Valley Reservoir is 500 acre-feet and 500 acre-feet for Sly Creek Reservoir (Appendix C)⁶. The proposed 40,000 acre-feet storage level for Little Grass Valley and 10,000 acre-feet for Sly Creek Reservoir are within operating limitations of the SFP⁷.

OWID will release the excess stored water plus South Fork Feather River subbasin runoff and diversions through the Slate Creek Tunnel from December 1 through December 30, 2000. OWID will not change its irrigation deliveries during this time, and OWID will maintain fish releases below its dams as required by Federal Energy Regulatory Commission License 2088. OWID will document daily storage in Little Grass Valley and Sly Creek Reservoirs and document the amount of water released over the Ponderosa Spillway. The OWID releases will flow into Oroville Reservoir to be held by the Department for the EWA.

South Fork Project Refilling. OWID will refill SFP reservoirs from South Fork Feather River flows. The refill of released water shall be made under a schedule mutually agreed upon by the Department and OWID.

⁶ Petition For Temporary Change (Water Code 1725) Application No. 1651, Permit 1267 and Application No. 2778, Permit 2492 to State of California, State Water Resources Control Board, Division of Water Rights; Appendix C prepared by Oroville-Wyandotte Irrigation District

⁷ Ibid

III. PROJECT LOCATION OWID will release the water from its reservoirs in Plumas County. The Department will store the water in Oroville Reservoir in Butte County.

IV. NAMES OF PREPARERS

Delores Brown
Environmental Program Manager
California Department of Water Resources
Environmental Services Office
3251 "S" Street, Sacramento, CA 95816-7017
(916/227-2407 and fax 916/227-7554).

Jerry Ripperda
Environmental Specialist
California Department of Water Resources
Environmental Services Office
3251 "S" Street, Sacramento, CA 95816-7017
(916/227-2551 and fax 916/227-7554).

Lalania Garner-Winter
Environmental Specialist
California Department of Water Resources
Environmental Services Office
3251 "S" Street, Sacramento, CA 95816-7017
(916/227-7548 and fax 916/227-7548).

APPENDIX A

Overview of the Four-Year EWA Program

CALFED established the EWA to provide a supplemental water supply for the protection and recovery of fish beyond what currently exists through the pre-CALFED Program environmental baseline. The EWA's proposed assets are shown in Figure 1.

The existing regulatory baseline⁸ programs established to provide a level of fishery protection include:

- 1993 Winter-run Chinook Salmon Biological Opinion (NMFS);
- 1995 Delta Water Quality Control Plan, State Water Resources Control Board (SWRCB);
- 1995 Delta Smelt Biological Opinion (USFWS);
- management of the full 800,000 acre-feet of CVP Yield Pursuant to Section 3406(b)(2) (or (b)(2) Water) of the Central Valley Project Improvement Act (CVPIA) ; and
- other environmental protections, including Level 2⁹ refuge water supplies as required by the CVPIA.

Assets acquired by the Department for the EWA will vary from year to year depending on hydrologic and regulatory conditions, and are therefore not certain. As stated above, the EWA will be implemented over four years. The Department will secure initial water purchases and lease of groundwater storage from willing sellers using State of California funds and facilities by the end of 2000. The Department will enter into one-year contracts with the willing sellers. Several processes may be used to acquire EWA assets and/or functional equivalent sources of project water supply to offset the effects of operational curtailments under the EWA program so that deliveries will not be affected.

1. Acquisition of Water for the EWA

A. Proposed Purchases

The Department will use EWA funds to purchase EWA assets from willing sellers both north and south of the Delta. Purchases can include leases, options, long-term agreements, and any other property or contractual transaction that make alternative project supplies available south of the Delta or available for conveyance to south of the Delta. Purchases will also include the acquisition of storage space in groundwater basins to bank EWA assets. The Management Agencies will identify assets to replace water lost to the projects due to operational curtailment, and to be pledged as collateral when the EWA borrows from the Projects. The Project Agencies will accept

⁸ If an operable EWA is not in place by December 31, 2000, then the existing regulatory baseline would remain in place.

⁹ Level 2 – The 1989 and 1992 Refuge Water Supply Studies define Level 2 refuge water supplies as the average amount of water the refuges received between 1974 and 1983.

the asset if the collateral meets the agreed guidelines for borrowing. The release of the asset shall be in accordance with a schedule agreed to by both the Management Agencies and the Project Agencies. A tentative release schedule will accompany an identified asset. The Project Agencies will coordinate EWA water acquisition with Level 4¹⁰ refuge water acquisitions to ensure the priority accomplishment of both each year.

B. Delta Operations

Delta project operations will involve four mechanisms by which EWA water assets are acquired.

- i. Sharing of (b)(2) and Ecosystem Restoration Program (ERP) Water Pumped by the SWP.

The SWP and the EWA will share, on a 50-50 basis, the lesser of:

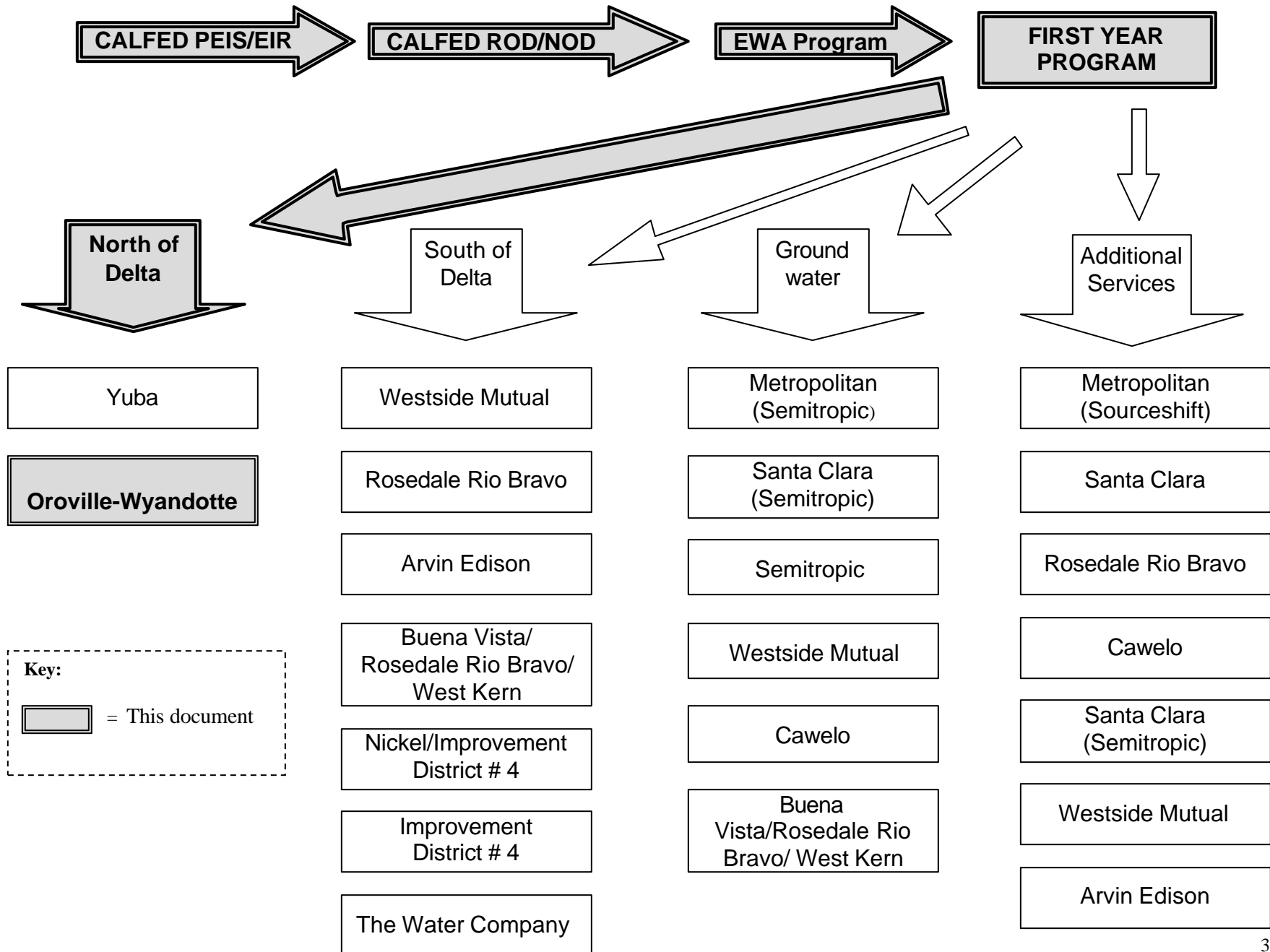
- a) water released from storage or made available for upstream purposes under either CVPIA Section 3406(b)(2) or the Ecosystem Restoration Program (ERP) which arrives in the Delta with no further ERP or (b)(2) purposes to serve;
- b) water that exceeds the export capacity of the CVP Tracy pumping plant;
- c) water that the SWP and EWA have demand south of the Delta; and
- d) water the SWP has capacity to pump.

- ii. SWP Appropriation of Unregulated Flow.

The SWP may use its Delta diversion rights to pump water from the Delta for EWA purposes when the demand for SWP supplies is less than available supply. The SWP diversion rights would be used in cases where Joint Point could also be used but where it would be preferable to create EWA assets south of the Delta to offset SWP rather than CVP losses to operational curtailments. As an adjunct to Joint Point, it would simply utilize SWP rather than CVP water rights to pump excess flows for the EWA's share. It would not affect the CVP's own share of excess SWP capacity.

¹⁰ Level 4 – Level 4 refuge water supplies are defined in the 1989 and 1992 Refuge Water Supply Studies as the amount of water for full development of the refuges based upon management goals developed in the 1980s.

Figure 1. Proposed EWA First Year Asset Acquisition



iii. Project Pumping made Possible by Regulatory Relaxation

(a) Relaxation of the Section 10 Constraint

The SWP is limited under Section 10 of the Rivers and Harbors Act, pursuant to US Army Corps of Engineers (Corps) Public Notice 5829-A, to a three-day average rate of diversion of water into Clifton Court Forebay of 13,250 acre-feet per day. This is equal to an average, around the clock diversion rate of 6,680 cfs. This rate may be increased during winter months when the San Joaquin River flow is above 1,000 cfs.

The Corps granted permission to the SWP to increase the base diversion rate by the equivalent of 500 cfs to an average of 7,180 cfs for the months of July through September, through 2002. This 500 cfs will be dedicated to pumping for the EWA.

(b) Relaxation of the Export/Inflow Ratio

Under D-1641 and anticipated under the SWRCB order to be issued upon completion of the Bay-Delta water rights hearing, project exports are limited at different times of the year to a certain percentage of Delta inflow (usually 35 or 65 percent). This limitation is called the Export/Inflow, or E/I ratio. Both D-1641 and the 1995 Water Quality Control Plan, consistent with the 1994 Principles for Agreement (Bay-Delta Accord), allow for these ratios to be relaxed upon the meeting of certain requirements. Relaxation of the E/I ratio will be sought as appropriate and used to create EWA assets south of the Delta. By relaxing the E/I ratio, an average of 30,000 acre-feet (see Table 1) could be exported for the EWA. This water would be exported by the SWP and held in San Luis Reservoir for later use, delivered to EWA storage facilities, or delivered to meet direct demands.

2. Banking of EWA Assets

A. Generally

Banking is the storage of water for later use that otherwise would be used or lost in the present. Water can be banked and used within the same water year or carried over for use in a subsequent water year. Even though the acquisition of stored water does not convert a transitory asset into a durable asset, banking is included as an EWA transaction. Like the acquisition of assets, banking transactions must provide for access to and the release of the stored EWA assets to the projects.

The banking document will generally control the storage priority of EWA assets. Unless the Management Agencies and the Project Agencies make other arrangements, EWA assets will have a lower priority for storage in project reservoirs than project water and thus will spill first. Project reservoirs are operated for project

purposes such as flood control, downstream temperature control, minimum downstream flows for meeting fishery regulatory requirements, and providing contract water supply including contractor carryover water.

B. Banking in Project Reservoirs

EWA assets may be stored or “banked” in project reservoirs upstream of the Delta as well as in San Luis Reservoir, provided the Projects do not incur any additional adverse operational impacts. The EWA will share this lower storage priority with water acquired for Level 4 refuge needs. The Project and Management Agencies shall jointly establish reasonable and practical standards for determining when an EWA asset may be stored and when it would spill or be lost from upstream project storage.

Banking EWA water south of the Delta will be important because it creates highly reliable assets which are both durable and which may be released without Delta constraints being an issue.

C. Groundwater Banking

At times, EWA may bank surface water within existing groundwater banks to prevent spilling losses from project reservoirs. Usually, if imported water is physically stored in a groundwater basin, the storing agency will have a first and exclusive right to the water stored.

D. Proposed Source-Shifting Agreements

The purpose of water banking is to have water available for use at a time other than its original availability. Source-shifting agreements fall under this functional definition of “banking”. Source-shifting agreements are executed with a water agency that is able, at certain times, to call on non-Delta water sources to temporarily create an asset for use by the EWA. In these cases, the water agency is agreeing to a reduction in deliveries so these assets can be used for EWA operational curtailments. Replacement of the source-shifted water occurs at a mutually agreed upon time with the water agency without any incremental impacts to the Projects.

The Department’s proposed source-shifting agreement with The Metropolitan Water District of Southern California (MWDSC) is an example of such a banking arrangement. MWDSC could provide 100,000 to 200,000 acre-feet to be used to enhance the effectiveness of the EWA, and to help provide assurance that SWP and CVP water deliveries and operations will not be affected by EWA operations.

3. Borrowing

Borrowing agreements will allow the EWA to borrow water from the CVP and SWP for fish protection during a water year as long as the water can be repaid without affecting the current or following year's allocations. Borrowing of project water, specifically water in San Luis Reservoir, is intended to enhance the effectiveness and use of EWA assets. Project water in San Luis Reservoir may be borrowed to support an operational curtailment in lieu of immediately releasing an EWA asset when the borrowed water is not needed at that time to make project deliveries. Borrowing can only take place when the borrowed water would not create or exacerbate water quality and supply problems associated with the San Luis low summer storage levels, and it meets reasonable carryover storage objectives. EWA will pledge an asset acceptable to the SWP or CVP to assure the projects that if the borrowed water is not otherwise made up, release of the pledged asset for the borrowed assets will not affect project deliveries.

4. Transfers Using Delta Conveyance

Transfers will be used to create assets south of the Delta out of assets upstream of the Delta. They can also be used to make acquisitions south of the Delta suitable for release to project use, where a change in the legal place or purpose of use or point of diversion of the water is needed.

APPENDIX B

Overview Of First Year EWA Operation

In the year 2001, EWA expects to make relatively small changes in the overall operations of the SWP, the CVP, and certain local and regional water agencies. EWA should have certain “assets”, defined by the CALFED Programmatic EIS/EIR Record of Decision/Notice of Determination (NOD) (see Table 1). Any subsequent reference in this document to the ROD includes the EIS/EIR and NOD.

While the EWA is under no obligation to utilize each of the assets to the maximum extent possible, it could do so. Also, the actual asset mix generated for the EWA could vary somewhat from the nominal values, based on operational and hydrological considerations. For example, the EWA might purchase less than 150,000 acre-feet of water south of the Delta and more than 35,000 acre-feet of water North of the Delta, if the year 2001 is a dry year.

The Department and the California Department of Fish and Game are currently working on purchase, storage (including water), and source shifting agreements, called for in the ROD. Table 2 shows the maximum assets that could be acquired for the first year using State of California funds and facilities. The table also reflects the goals for each area targeted by the ROD.

As stated in the ROD, immediate development of assets for the first year (January 1, 2001 – December 31, 2001) is critical to EWA success. The Department proposes to secure initial water purchases, lease of groundwater storage and surface water storage using State of California funds and facilities by December 31, 2000. In addition to the assets to be acquired annually, as shown in Table 1, The Department proposes to acquire an initial one-time deposit of water equivalent to 200,000 acre-feet of south-of-Delta storage from a variety of sources to assure the effectiveness of the EWA and provide assurances for SWP and CVP water supplies and deliveries. With EWA assets in place, pumping at SWP delta export pumps could be reduced during critical periods for chinook salmon, delta smelt, splittail, or other fishery resources, at the discretion of the fishery agencies.

Table 1. EWA Assets In Accordance with the ROD

Action Description	Water Available Annually (Average)
SWP Pumping of (b)(2)/ERP Upstream Releases ¹¹	40,000 acre-feet ¹²
EWA Use of Joint Point ¹³	75,000 acre-feet
Export/Inflow Ratio Flexibility	30,000 acre-feet
500 cfs SWP Pumping Increase	50,000 acre-feet
Purchases – South of Delta	150,000 acre-feet
Purchases – North of Delta ¹⁴	35,000 acre-feet
TOTAL	380,000 acre-feet
Storage acquisition	200,000 acre-feet of storage, filled; acquired in Year 1 ¹⁵
Source Shifting agreement	100,000 acre-feet

Proposed Purchases South of Delta

- Agencies within Kern County Water Agency (KCWA): Up to 200,000 acre-feet will be made available from Westside Mutual, Rosedale Rio Bravo WSD, West Kern WD, Improvement District 4, Buena Vista WSD and Cawelo to the SWP for distribution either through exchange or direct groundwater pumping.
- Arvin-Edison Water Storage District: From 5,000 to 10,000 acre-feet will be made available through exchange or direct groundwater pumping.

Proposed Purchases North of Delta

- Yuba County Water Agency (YCWA): Yuba County Water Agency may release up to 50,000 acre-feet in 2001 during the months of June through early September for recovery by the EWA in the Delta via SWP pumps. The water would come from storage in New Bullards Bar Reservoir.

Oroville-Wyandotte Irrigation District: Oroville-Wyandotte may release up to 10,000 acre-feet of water into Lake Oroville for use by the EWA.

¹¹ The EWA and the SWP will share equally the (b)(2) and ERP upstream releases pumped by the SWP after they have served their (b)(2) and ERP purposes.

¹² The amount of water derived from the first four actions will vary based on hydrologic conditions.

¹³ The EWA will share access to joint point, with the CVP receiving 50% of the benefits.

¹⁴ This is the amount of water targeted for the first year; higher amounts are anticipated in subsequent years. North of Delta assets assume a twenty percent carriage loss. The actual quantity of water acquired will be approximately 45,000 acre-feet.

¹⁵ Of the 200,000 acre-feet, 100,000 acre-feet would be retrievable within the year.

Proposed Storage acquisitions

- Agencies within KCWA: BVWSD, RRBWSD, WKWD, Westside Mutual, MWDSC (Semitropic) and Santa Clara (Semitropic) have offered to allow the EWA to deposit approximately 200,000 acre-feet of water into groundwater storage from December 2000 through mid-2001 or direct percolation.
- Arvin-Edison WSD: Arvin-Edison has offered to allow the EWA to deposit from 5 to 10,000 acre-feet of water into groundwater storage from December 2000 through mid-2001 or direct percolation.
- Santa Clara: Santa Clara may take early delivery of up to 20,000 acre-feet water and store it within its local system allowing the SWP to reduce delivery of a comparable volume of entitlement water later in the year.

Proposed Source Shifting agreement

- The Metropolitan Water District of Southern California (MWDSC): MWDSC would defer 100,000 to 200,000 acre-feet of its 2001 deliveries from the SWP from January through August 2001. The water would be returned in 2002 or 2003 unless DWR and MWDSC mutually agree to delay return of the water. MWDSC will rely upon local storage to buffer the changed delivery pattern.

Table 2. EWA Maximum Asset Acquisition Targeting the ROD (in TAF)

North of Delta Goal (35 TAF)			South of Delta Goal (150 TAF)			Groundwater Assets GW Storage/Extraction (200/100 TAF)			Additional Services	
	Dry	Wet		Dry	Wet		Dry	Wet		
Yuba	50	50	EWA Water in San Luis from CVP ¹⁶	72	72	MWD (Semitropic)	32/0	32/32	100 MWD Source Shift	
Oroville – Wyandotte	10	0	Westside Mutual 2000 purchase	15	15	Santa Clara (Semitropic)	30/30	30/30	Option for 100 additional MWD Source Shift in wet years	
SNAGMA ¹⁷	10	0	Westside Mutual 2001 wet only purchase	0	55	Semitropic	20/20	20/20	Option for Santa Clara 20 pre-delivery (reverse shift)	
			Rosedale Rio Bravo 2000 purchase	19	19	Westside Mutual	50/50	50/50	Option to deposit 40 into Rosedale	
			Arvin Edison 2000 Exchange/Purchase	10	10	Cawelo	20/20	20/20	Option to deposit 10 into Cawelo	
			Arvin Edison 2001 Exchange/Purchase	10	10	Buena Vista/ Rosedale Rio Bravo/ West Kern	25/25	25/25	Option to deposit 30 in Santa Clara (Semitropic)	
			Buena Vista Water Storage District/ Rosedale Rio Bravo Water Storage District/ West Kern Water District	0	35				Option for deposit 50 in Westside Mutual	
			Nickel/ Improvement District No. 4 of the Kern County Water Agency	10	15				Option for deposit 10 in Arvin Edison	
			Improvement District No. 4 of the Kern County Water Agency	10	30					
			The Water Company	13	13					
Subtotal	70	50		146	261		177/145	177/177		
Carryover Credit				21	5		17/17	116/116		
Carriage Losses	14	10								
TOTAL	56	40	TOTAL	167	266	TOTAL	194/162	293/293		
Carryover credit to next category:	21	5		17	116					

¹⁶ See USBR Letter to USFWS, September 21, 2000 (Appendix D)

¹⁷ Sacramento Northern Area Groundwater Management Authority (SNAGMA)

APPENDIX C

Petition for Temporary Change

Application 1651, Permit 1267

And

Application 2778, Permit 2492

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 657-2170, FAX: (916) 657-1485, Web: <http://www.waterrights.ca.gov>

PETITION FOR TEMPORARY CHANGE

(Water Code 1725)

☐ Point of Diversion ☒ Point of Rediversion ☒ Place of Use ☒ Purpose of Use

Application No. 1651 Permit No. 1267 License No. _____

Statement or Other No. _____

Present Holder and User of Water Right
Oroville-Wyandotte Irrigation District

Person or Company name

Steven C. Onken (530) 534-1221

Contact person

Telephone No.

P.O. Box 581

Address

Oroville CA 95965-0581

City

State

Zip Code

Co-petitioner

Person or Company name

Contact person

Telephone No.

Address

City

State

Zip Code

Proposed New User

Environmental Water Account

Person or Company name

Leo Winternitz (916) 653-0758

Contact person

Telephone No.

P.O. Box 942836

Address

Sacramento CA 94236-0001

City

State

Zip Code

Under the provisions of Water Code (WC) section 1725 et seq. and in conformance with the specific requirements of California Code of Regulations (CCR) section 794, I (We) hereby petition for temporary change(s) noted above and shown on the accompanying map and described as follows:

Period of Transfer/Exchange (Not to exceed one year) November 1, 2000 to November 30, 2000

Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by CCR section 715, and the 40-acre subdivision in which the present & proposed points lie.

Present Oroville-Wyandotte Irrigation District Service Area in Butte County

Proposed State Water Project - Oroville Reservoir

Place of Use

Present Oroville-Wyandotte Irrigation District Service Area - Butte County

Proposed State Water Project and Federal Central Valley Project Service Areas
and Wildlife Refuges.

Purpose of Use

Present Agricultural, domestic and municipal

Proposed Environmental Water Account

Season of Use

Direct Use (cfs)

Storage (ac-ft)

Present Year Round

Proposed November 2000

10,000 AF - OWID Reservoirs

10,000 AF - Lake Oroville

The proposed transfer/exchange water is presently used or stored within the county/counties of:
Plumas County

The proposed transfer/exchange water will be placed to beneficial use within the following county/counties:
State Water Project and Federal Central Valley Project Areas and Wildlife Refuges

- 1a. Would the transfer/exchange water have been consumptively used or stored in the absence of the proposed temporary change (See WC 1725)? Yes
 (yes/no)
- 1b. Provide an analysis which provides documentation that the amount of water to be transferred/exchanged would have been consumptively used or stored in the absence of the proposed temporary change. PG&E Projection
- 2a. If the point of diversion/rediversion is being changed, are there any person(s) taking water from the stream between the present point of diversion/rediversion and the proposed point? No
 (yes/no)
- 2b. Are there any persons taking water from the stream between the present point of return flow and the proposed point of return flow? No
 (yes/no)
- 2c. If the answer to 3a. or 3b. is yes, provide the name and address. Also provide the name and address of other persons known to you who may be affected by the proposed change.

- 3a. Provide an analysis of any changes in streamflow, water quality, timing of diversion or use, return flows, or effects on legal users resulting from the proposed transfer/exchange. No changes will occur
- 3b. State reasons you believe the proposed temporary change will not injure any legal user of the water, see Water Code Section 1727 (b)(1). Storage will be increased at Oroville Reservoir, OWID's storage will be reduced. These releases will not adversely affect any legal user's water supply, quality, timing of use, consumptive use, return flow or availability of water.
4. Consult with staff of the applicable Regional Water Quality Control Board concerning the proposed temporary change. State the name and phone number of person(s) contacted. Summarize their opinion concerning compliance with CCR 794(b) and any Regional Board requirements. Contact Ron Dykstra (530) 224-4858. The proposed transfer does not negatively impact water quality.
- 5a. Consult with the California Department of Fish and Game pursuant to CCR 794(b) concerning the proposed temporary change. State the name and phone number of the person(s) contacted and their opinion concerning the potential effect(s) of the proposed temporary change on fish, wildlife, or other instream beneficial uses, and state any measures recommended for mitigation. Contact Jim White (916) 653-3540. The proposed transfer does not negatively impact fish or wildlife.
- 5b. Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? Yes
 (yes/no)
- 5c. Provide an analysis of potential effect(s) on fish, wildlife, or other instream beneficial uses which may arise from the proposed change. OWID is not aware of any adverse impacts on fish, wildlife, or instream beneficial uses which may result from this transfer.

5d. State reasons you believe the proposed temporary change will not unreasonably affect fish, wildlife, or other instream beneficial uses, see Water Code Section 1727 (b)(2). _____

6a. Does any agency involved in the proposed transfer/exchange rely upon section 382 of the Water Code to allow the delivery of water outside of the agency's service area? No

(yes/no)?

6b. If yes, provide an analysis of the effect of the proposed transfer/ exchange on the overall economy of the area from which the water is being transferred. _____

A TRANSFER/EXCHANGE UNDER WATER CODE SECTION 1725 INVOLVES ONLY THE AMOUNT OF WATER WHICH WOULD HAVE BEEN CONSUMPTIVELY USED OR STORED IN THE ABSENCE OF THE PROPOSED TEMPORARY CHANGE.

A CHANGE WILL BE EFFECTIVE FOR A PERIOD OF ONE YEAR OR LESS, BEGINNING ON THE APPROVAL OF THIS PETITION OR ON SUCH DATE OTHERWISE SPECIFIED BY THE SWRCB ORDER. FOLLOWING EXPIRATION OF THIS TEMPORARY CHANGE, ALL RIGHTS AUTOMATICALLY REVERT TO THE PRESENT HOLDER BY OPERATION OF LAW.

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated: 9-26-00 at Orange, California

Michael [Signature]
Signature(s)

520) 533-4578
Telephone No.

NOTE: All information required by this form must be submitted to the SWRCB before the Board will consider acceptance of the petition which requests changes to facilitate a temporary transfer/exchange.

Fees: The following fees must accompany the petition before the petition will be accepted:

- 1) Section 1547.1 requires a fee of 25% of the amount computed by using the fee schedule in Article 1 (commencing with Section 1525) for use of water outside of the basin from which the water transfer originates. If this fee is not applicable, a minimum filing fee of \$100 shall be submitted with the petition (WC 1547). The fee is made payable to the State Water Resources Control Board.
- 2) An \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.
- 3) If the petitioner relies on Water Code section 382, a minimum \$100 fee shall be submitted with the petition. However, the total filing fee shall be based on the amount necessary to cover the reasonable costs of the SWRCB to evaluate and process the petition (WC 386).

Service: The Department of Fish and Game, the Board of Supervisors of the counties in which the petitioner currently stores or uses water subject to the petition, and the Board of Supervisors of the counties to which the water is proposed to be transferred, are required to be notified by the petitioner of the proposed change. (WC 1726). A copy of the proof of service to each of these agencies must be submitted with the petition, at the time of filing to fulfill this requirement

If your answers require more space than provided, please attach additional pages.

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 657-2170, FAX: (916) 657-1485, Web: <http://www.waterrights.ca.gov>

PETITION FOR TEMPORARY CHANGE

(Water Code 1725)

☐ Point of Diversion ☒ Point of Rediversion ☒ Place of Use ☒ Purpose of Use

Application No. 2778 Permit No. 2492 License No. _____

Statement or Other No. _____

Present Holder and User of Water Right
Oroville-Wyandotte Irrigation District

Person or Company name
Steven C. Onken (530) 534-1221
Contact person Telephone No.
P.O. Box 581
Address
Oroville CA 95965-0581
City State Zip Code

Co-petitioner

Person or Company name

Contact person Telephone No.

Address

City State Zip Code

Proposed New User

Environmental Water Account
Person or Company name
Leo Winternitz (916) 653-0758
Contact person Telephone No.
P.O. Box 942836
Address
Sacramento CA 94236-0001
City State Zip Code

Under the provisions of Water Code (WC) section 1725 et seq. and in conformance with the specific requirements of California Code of Regulations (CCR) section 794.1 (We) hereby petition for temporary change(s) noted above and shown on the accompanying map and described as follows:

Period of Transfer/Exchange (Not to exceed one year) November 1, 2000 to November 30, 2000

Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by CCR section 715, and the 40-acre subdivision in which the present & proposed points lie.

Present Oroville-Wyandotte Irrigation District Service Area in Butte County
Proposed State Water Project - Oroville Reservoir

Place of Use

Present Oroville-Wyandotte Irrigation District Service Area - Butte County
Proposed State Water Project and Federal Central Valley Project Service Areas
and Wildlife Refuges.

Purpose of Use

Present Agricultural, domestic and municipal
Proposed Environmental Water Account

Season of Use
Present Year Round
Proposed November 2000

Direct Use (cfs)

Storage (ac-ft)

10,000 AF - OWID Reservoirs
10,000 AF - Lake Oroville

The proposed transfer/exchange water is presently used or stored within the county/counties of:
Plumas County

The proposed transfer/exchange water will be placed to beneficial use within the following county/counties:
State Water Project and Federal Central Valley Project Areas and Wildlife Refuges

- 1a. Would the transfer/exchange water have been consumptively used or stored in the absence of the proposed temporary change (See WC 1725)? Yes
 (yes/no)
- 1b. Provide an analysis which provides documentation that the amount of water to be transferred/exchanged would have been consumptively used or stored in the absence of the proposed temporary change. PG&E Projection
- 2a. If the point of diversion/redirection is being changed, are there any person(s) taking water from the stream between the present point of diversion/redirection and the proposed point? No
 (yes/no)
- 2b. Are there any persons taking water from the stream between the present point of return flow and the proposed point of return flow? No
 (yes/no)
- 2c. If the answer to 3a. or 3b. is yes, provide the name and address. Also provide the name and address of other persons known to you who may be affected by the proposed change.

- 3a. Provide an analysis of any changes in streamflow, water quality, timing of diversion or use, return flows, or effects on legal users resulting from the proposed transfer/exchange. No changes will occur
- 3b. State reasons you believe the proposed temporary change will not injure any legal user of the water, see Water Code Section 1727 (b)(1). Storage will be increased at Oroville Reservoir, OWID's storage will be reduced. These releases will not adversely affect any legal user's water supply, quality, timing of use, consumptive use, return flow or availability of water.
4. Consult with staff of the applicable Regional Water Quality Control Board concerning the proposed temporary change. State the name and phone number of person(s) contacted. Summarize their opinion concerning compliance with CCR 794(b) and any Regional Board requirements. Contact Ron Dykstra (530) 224-4858. The proposed transfer does not negatively impact water quality.
- 5a. Consult with the California Department of Fish and Game pursuant to CCR 794(b) concerning the proposed temporary change. State the name and phone number of the person(s) contacted and their opinion concerning the potential effect(s) of the proposed temporary change on fish, wildlife, or other instream beneficial uses, and state any measures recommended for mitigation. Contact Jim White (916) 653-3540. The proposed transfer does not negatively impact fish or wildlife.
- 5b. Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? Yes
 (yes/no)
- 5c. Provide an analysis of potential effect(s) on fish, wildlife, or other instream beneficial uses which may arise from the proposed change. OWID is not aware of any adverse impacts on fish, wildlife, or instream beneficial uses which may result from this transfer.

5d. State reasons you believe the proposed temporary change will not unreasonably affect fish, wildlife, or other instream beneficial uses, see Water Code Section 1727 (b)(2). _____

6a. Does any agency involved in the proposed transfer/exchange rely upon section 382 of the Water Code to allow the delivery of water outside of the agency's service area? No

(yes/no)?

6b. If yes, provide an analysis of the effect of the proposed transfer/exchange on the overall economy of the area from which the water is being transferred. _____

A TRANSFER/EXCHANGE UNDER WATER CODE SECTION 1725 INVOLVES ONLY THE AMOUNT OF WATER WHICH WOULD HAVE BEEN CONSUMPTIVELY USED OR STORED IN THE ABSENCE OF THE PROPOSED TEMPORARY CHANGE.

A CHANGE WILL BE EFFECTIVE FOR A PERIOD OF ONE YEAR OR LESS, BEGINNING ON THE APPROVAL OF THIS PETITION OR ON SUCH DATE OTHERWISE SPECIFIED BY THE SWRCB ORDER. FOLLOWING EXPIRATION OF THIS TEMPORARY CHANGE, ALL RIGHTS AUTOMATICALLY REVERT TO THE PRESENT HOLDER BY OPERATION OF LAW.

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated: 9.26.00 at ORANGE, California

Michael O. [Signature]
Signature(s)

530 533-4578
Telephone No.

NOTE: All information required by this form must be submitted to the SWRCB before the Board will consider acceptance of the petition which requests changes to facilitate a temporary transfer/exchange.

Fees: The following fees must accompany the petition before the petition will be accepted:

- 1) Section 1547.1 requires a fee of 25% of the amount computed by using the fee schedule in Article 1 (commencing with Section 1525) for use of water outside of the basin from which the water transfer originates. If this fee is not applicable, a minimum filing fee of \$100 shall be submitted with the petition (WC 1547). The fee is made payable to the State Water Resources Control Board.
- 2) An \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.
- 3) If the petitioner relies on Water Code section 382, a minimum \$100 fee shall be submitted with the petition. However, the total filing fee shall be based on the amount necessary to cover the reasonable costs of the SWRCB to evaluate and process the petition (WC 386).

Service: The Department of Fish and Game, the Board of Supervisors of the counties in which the petitioner currently stores or uses water subject to the petition, and the Board of Supervisors of the counties to which the water is proposed to be transferred, are required to be notified by the petitioner of the proposed change. (WC 1726) A copy of the proof of service to each of these agencies must be submitted with the petition, at the time of filing to fulfill this requirement

If your answers require more space than provided, please attach additional pages.

OWID Water Transfer

Operation Study

Exhibit "A"

Background

Due to the Environmental Water Account's desire to transfer water in 2000, the Oroville-Wyandotte Irrigation District (OWID) has petitioned the State Water Resources Control Board (SWRCB) for temporary changes in place of use of 10,000 AF of water to facilitate a transfer of that water to meet needs within the service area of the California State Water Project.

Scope

This report includes the evaluation of the flows in the Feather River and changes in storage at the reservoirs affected by the transfer, i.e.: Little Grass Valley Reservoir, Sly Creek Reservoir.

Changes in biological conditions in the Feather River, Little Grass Valley and Sly Creek Reservoir relative to conditions with or without the transfer, were evaluated as to whether the hydrological changes might cause measurable impacts on fish, wildlife and other instream beneficial uses for a temporary transfer to Westland's Water District in 1990 and the State Water Bank in 1991, 1992, and 1994. The 2000 transfer is similar, except that the total transfer is less and the resulting reservoir elevations will be higher than 1990 Westland's transfer and a duplicate of the 1991, 1992, and 1994 State Water Bank Transfer.

Originally, OWID planned to shut down the South Fork portion of the system for repairs and maintenance for the month of October and November. However, due to the desire of the Environmental Water Account, need of water, and the fact that OWID has approximately 10,000 AF of water in storage that is temporarily in excess of its needs, it was decided to operate to deliver an additional 10,000 AF petition the SWRCB to transfer this water to the State Water Project. OWID's annual demand for consumptive use is approximately 27,000 AF. With the transfer there would be approximately 40,000 AF carry-over storage in Little Grass Valley Reservoir, 10,000 AF in Sly Creek Reservoir, and 10,000 AF in the District's small reservoirs for a total of 60,000 AF remaining carry-over storage, which is 6,000 AF more than is required for the District's irrigation and domestic customers for two years.

PG&E, the power purchaser for OWID's Power Project, has indicated that its generation forecast is subject to revision as weather and load conditions on their electric system change. However, PG&E has indicated it would be able to use the power generated by the proposed transfer.

It is anticipated that the transfer of 500 AF per day would start on November 1, 2000, and be completed on November 30, 2000. There would be no change in irrigation deliveries.

Woodleaf, Forbestown, and Sly Creek Powerhouses have a maximum capacity of 1,200 AF per day, however, PG&E during the transfer will operate them for about 18 hours each day during peak hours, which equates to about 900 AF a day moving through the project.

Attached Table No. 2 is the proposed operation with the transfer. Table No. 1 is the schedule of operations without the transfer. The proposed operation with the transfer will spill approximately 10,000 AF from OWID's Ponderosa Reservoir into DWR's Oroville Reservoir during the months of October and November that would not have been delivered if there was no transfer this year. The 10,000 AF will be utilized by the Environmental Water Account within the State Water Project and Federal Central Valley Project Service Areas and Wildlife Refuges in 2001.

OROVILLE-WY
OROVILLE, CALIFORNIA

PLANS FOR SLY CREEK PI

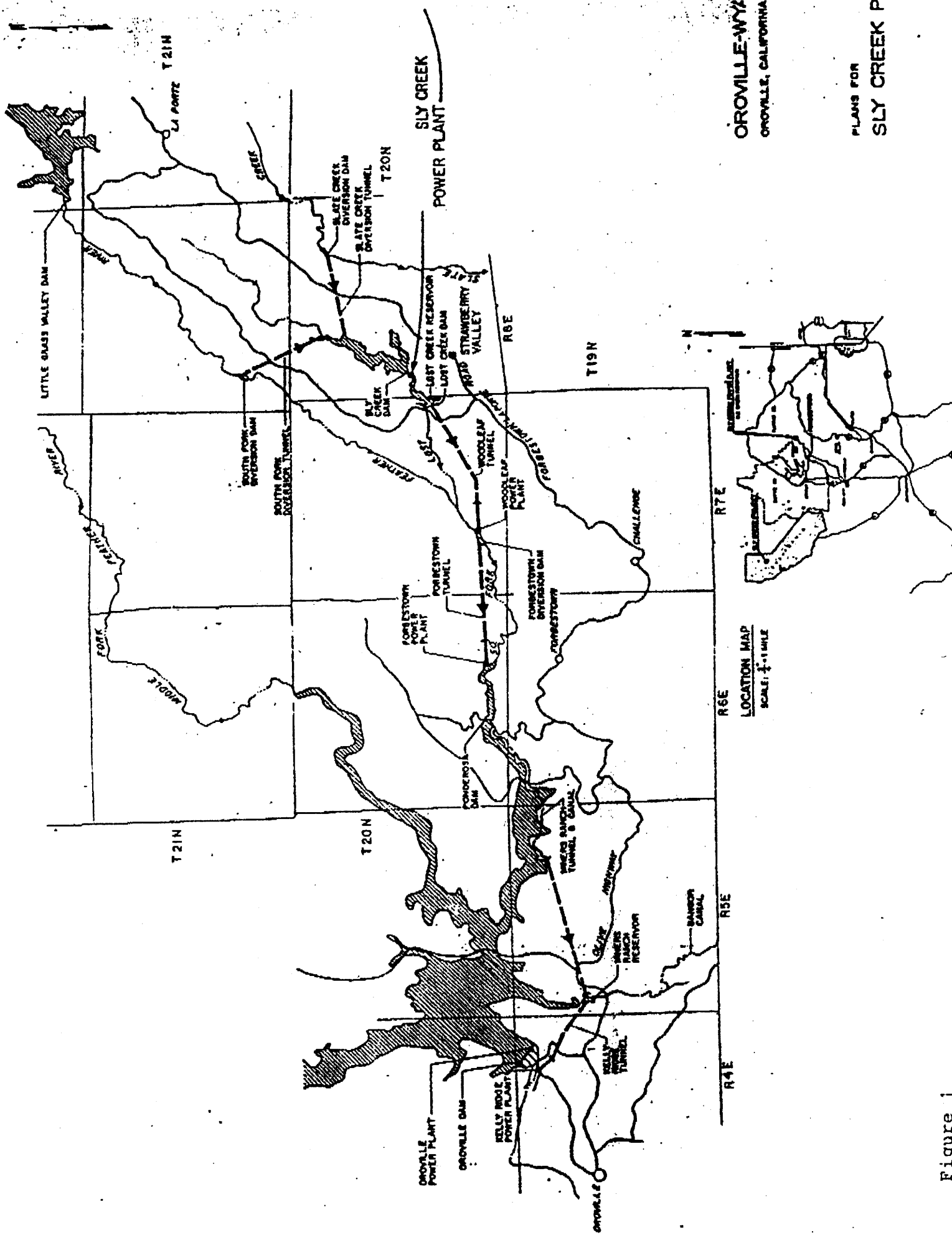
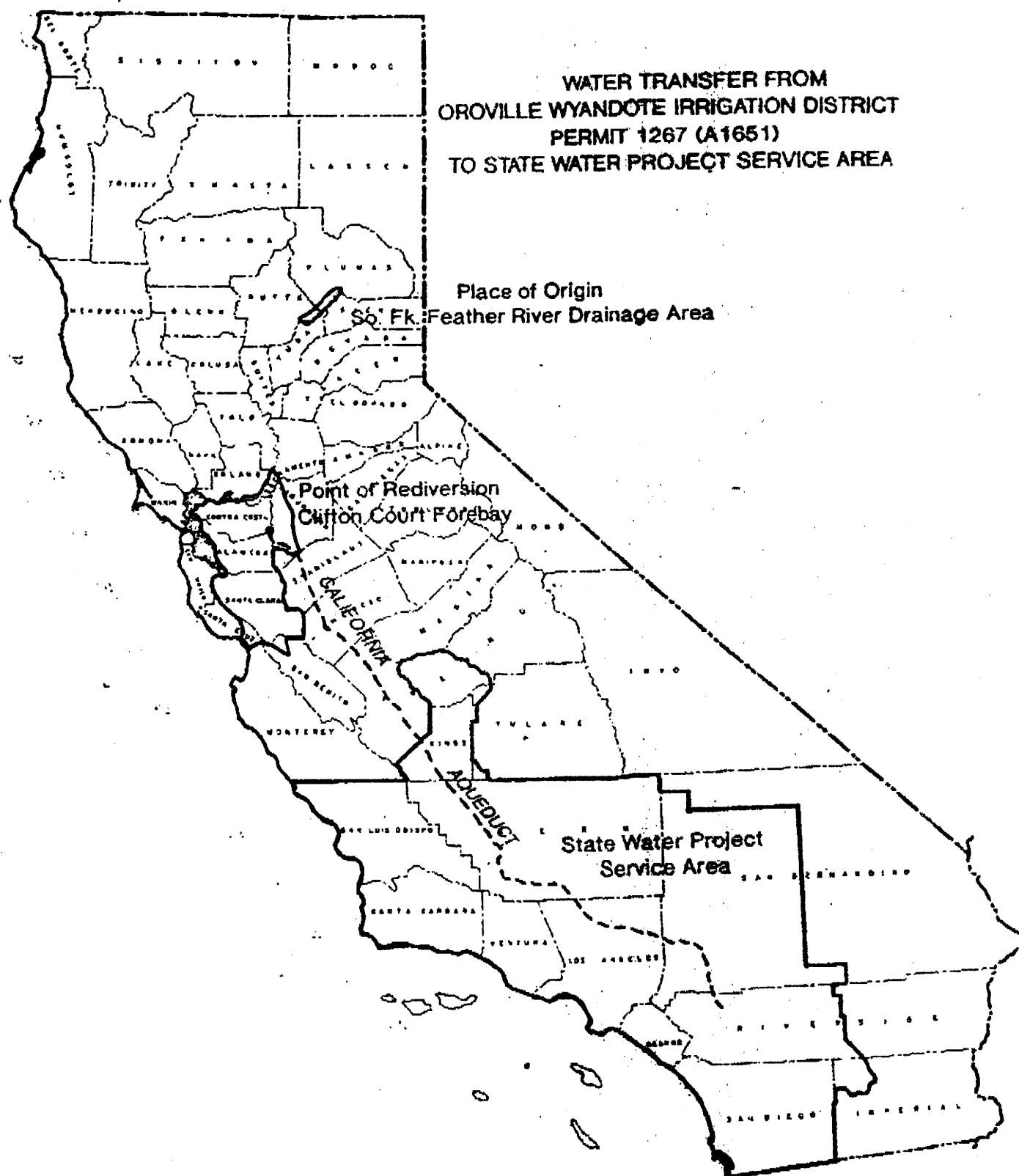
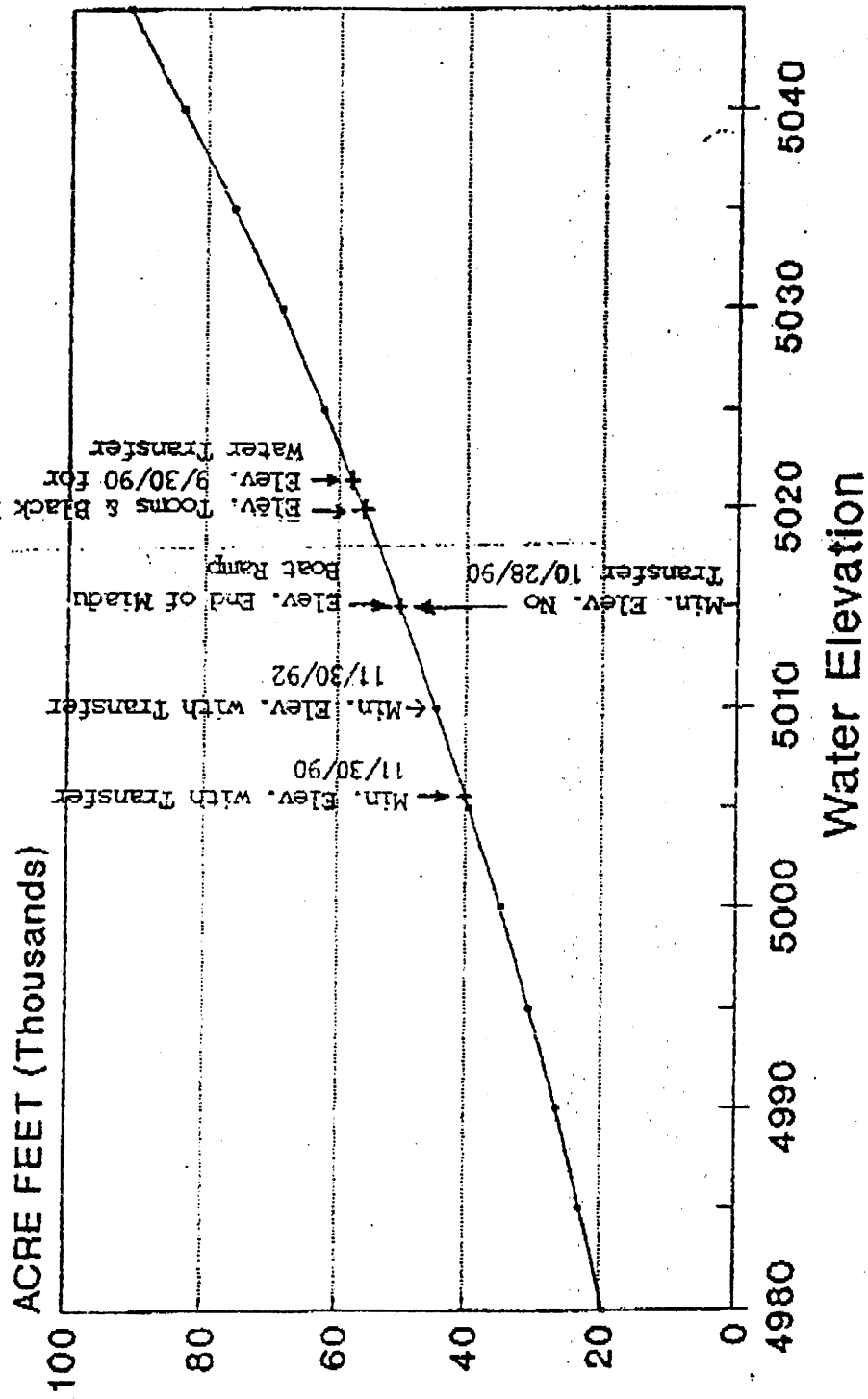


Figure 1



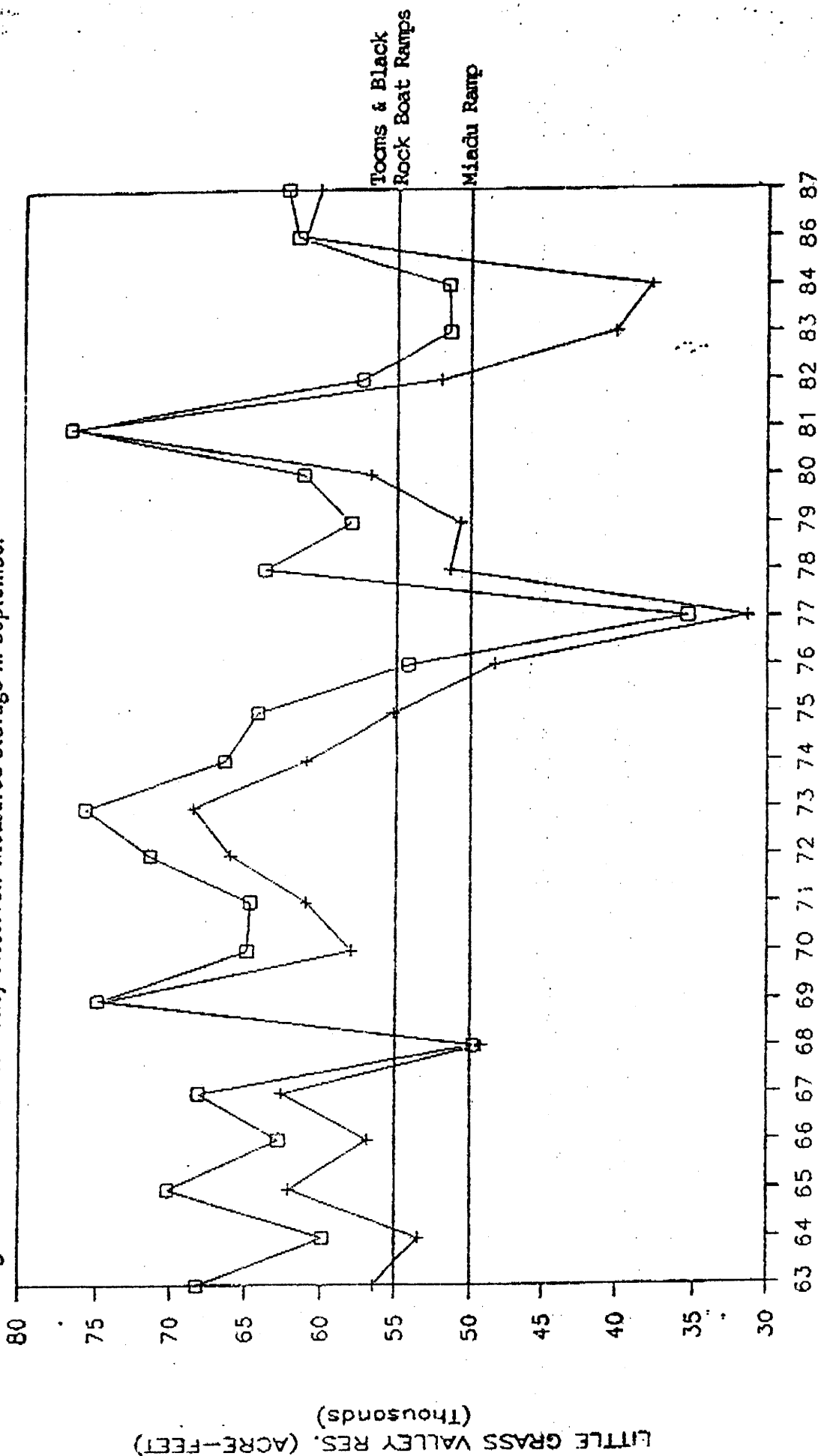
Little Grass Valley Reservoir Capacity Table



Date: 8-24-90

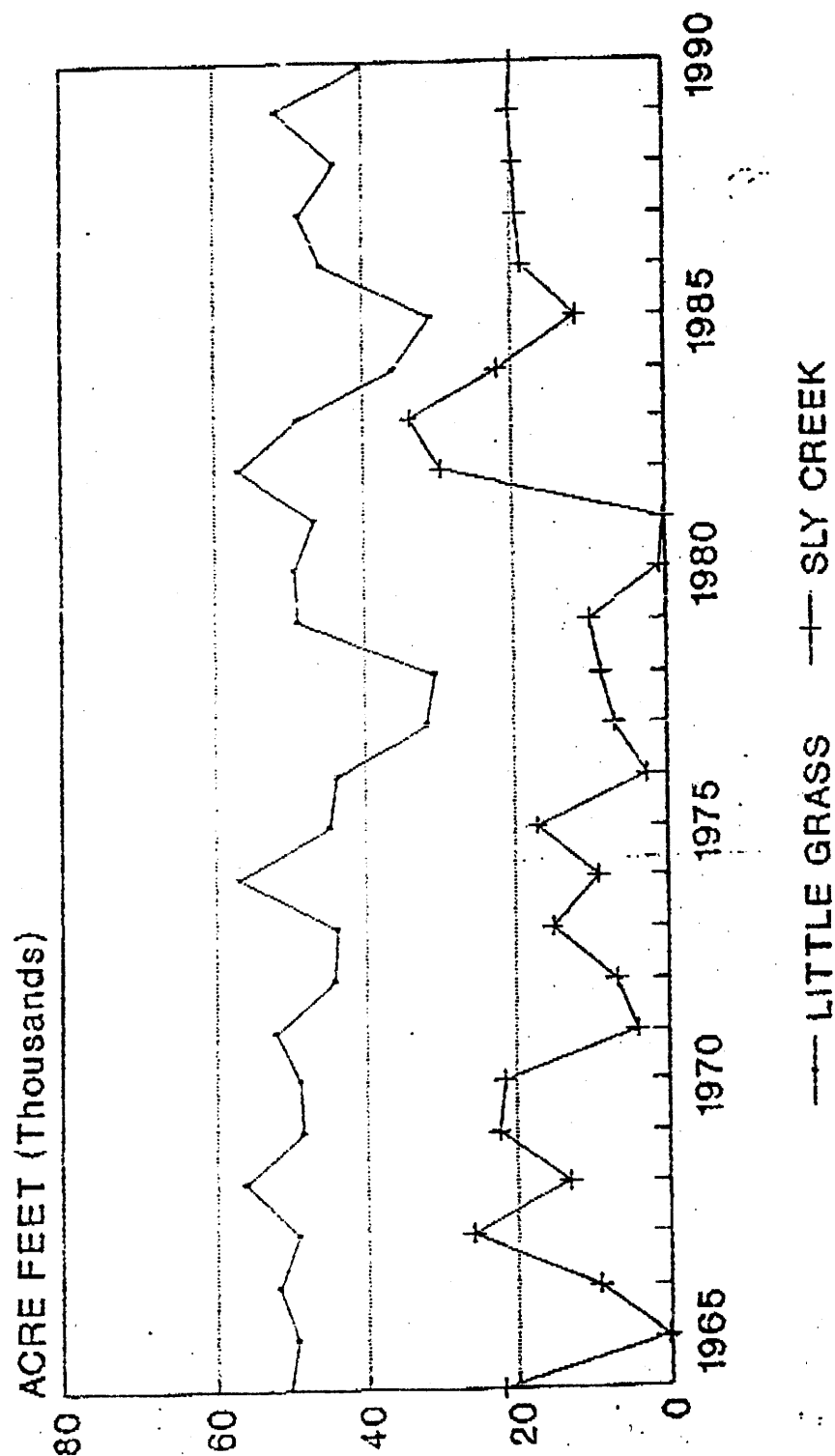
Figure 2

Figure 3 Little Grass Valley Reservoir Measured Storage in September



TIME + SEPT 30

OWID Minimum Water Storage



DATE: 8 - 24 - 90

PG&E Confidential Data
For Internal Use Only

S_Feather_N_Yuba

Description	Act-Jan	Act-Feb	Act-Mar	Act-Apr	Act-May	Act-Jun	Act-Jul	Act-Aug	Sep-00	Oct-00	Nov-00	Dec-00
Sly Creek Res fish	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3
Sly Creek Res spill	5.4	11.2	46.5	34.2	30.2	20.5	4.7	18.3	0.0	0.0	0.0	0.0
Sly Creek (41.7)	6.8	15.2	38.0	34.8	38.6	24.1	15.8	28.4	17.7	15.8	12.0	18.0
Total Outflow									18.0	18.1	12.3	18.3
EOM storage (cap=65.7)	38.0	54.2	58.5	63.0	62.7	57.4	50.0	30.0	15.0	13.9	12.0	12.0
Lost Creek Reservoir												
Regulated Inflow									18.0	16.1	12.3	18.3
Lost Crk Res Inrig	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.3	0.2	0.0	0.0
Lost Crk Res fish	0.1	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3
Lost Crk Res spill	0.0	17.4	12.6	8.0	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0
Woodleaf (34.8)	8.8	6.3	30.4	35.0	42.6	24.4	16.9	28.5	17.4	15.6	12.0	18.0
Total Outflow									18.0	16.1	12.3	18.3
Forbestown Reservoir												
Subbasin runoff	0.7	1.4	1.1	1.1	0.8	0.2	0.1	0.1	0.0	0.1	0.3	0.6
Regulated Inflow									18.3	16.6	12.6	18.6
Forbestown fish	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3
Forbestown spill	0.3	2.8	12.8	2.6	0.8	0.3	0.3	0.3	0.0	0.0	0.0	0.0
Forbestown (39.3)	11.2	29.3	37.3	38.4	39.5	23.8	16.2	25.0	18.0	16.3	12.6	18.8
Total Outflow									18.3	16.6	12.9	19.1
Ponderosa Reservoir												
Subbasin runoff	0.8	1.6	1.2	1.3	0.9	0.3	0.1	0.1	0.0	0.1	0.4	0.7
Regulated Inflow									18.3	16.6	12.9	19.1
Ponderosa draft	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	8.8	14.1	13.3	13.6
Ponderosa spill	4.2	27.9	21.8	14.2	14.1	12.6	3.2	11.6	8.6	2.6	0.0	6.2
Total Outflow									18.4	16.7	13.3	19.9
Miners Ranch Res.												
Regulated Inflow									8.8	14.1	13.3	13.6
Miners ranch inrig	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.9	0.6	0.2	0.1
Kelly Ridge (13.1)	10.7	15.1	16.0	15.6	16.1	15.1	14.7	15.5	7.9	13.5	13.1	13.5
Total Outflow									8.8	14.1	13.3	13.6
Hour House Diversion												
Subbasin runoff	25.9	61.0	36.8	30.4	23.1	6.6	3.5	2.1	2.0	3.0	8.0	13.5
Hour House->Log Cabin	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.2	1.1	6.2
Hour House fish	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.8	1.8	1.8	1.8

PG&E Confidential Data
For Internal Use Only

S_Feather_N_Yuba

Description	Act - Jan	Act - Feb	Act - Mar	Act - Apr	Act - May	Act - Jun	Act - Jul	Act - Aug	Sep-00	Oct-00	Nov-00	Dec-00
Sly Creek Res fish	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3
Sly Creek Res spill	5.4	11.2	46.5	34.2	38.2	20.5	4.7	18.3	0.0	0.0	0.0	0.0
Sly Creek (41.7)	6.8	15.2	36.0	34.5	38.6	24.1	15.8	26.4	18.1	21.5	16.0	18.0
Total Outflow									18.4	21.8	16.3	18.3
EOM storage (cap=65.7)	38.0	54.2	58.5	63.0	62.7	57.4	50.0	30.0	15.0	12.0	10.0	10.0
Lost Creek Reservoir												
Regulated Inflow									18.4	21.8	16.3	18.3
Lost Crk Res intrg	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Lost Crk Res fish	0.1	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3
Lost Crk Res spill	0.0	17.4	12.6	0.0	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0
Woodleaf (34.8)	6.8	6.3	30.4	35.0	42.8	24.4	16.9	28.5	17.8	21.3	15.9	18.0
Total Outflow									18.4	21.8	16.3	18.3
Forbestown Reservoir												
Subbasin runoff	0.7	1.4	1.1	1.1	0.8	0.2	0.1	0.1	0.0	0.1	0.3	0.6
Regulated Inflow									18.7	22.2	16.5	18.6
Forbestown fish	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3
Forbestown spill	0.3	2.8	12.8	2.5	0.8	0.3	0.3	0.3	0.0	0.0	0.0	0.0
Forbestown (39.3)	11.2	29.3	37.3	38.4	39.5	23.8	16.2	26.0	18.4	22.0	16.8	18.8
Total Outflow									18.7	22.3	16.9	19.1
Ponderosa Reservoir												
Subbasin runoff	0.8	1.6	1.2	1.3	0.9	0.3	0.1	0.1	0.0	0.1	0.4	0.7
Regulated Inflow									18.7	22.3	16.9	19.1
Ponderosa draft	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	8.8	14.1	13.3	13.6
Ponderosa spill	4.2	27.9	21.8	14.2	14.1	12.5	3.2	11.8	10.0	8.3	4.0	6.2
Total Outflow									18.7	22.4	17.3	19.9
Miners Ranch Res.												
Regulated Inflow									8.8	14.1	13.3	13.6
Miners ranch intrg	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.9	0.6	0.2	0.1
Kelly Ridge (13.1)	10.7	15.1	16.0	15.6	18.1	15.1	14.7	15.5	7.9	13.5	13.1	13.5
Total Outflow									8.8	14.1	13.3	13.6
Hour House Diversion												
Subbasin runoff	25.9	81.0	36.8	30.4	23.1	6.6	3.5	2.1	2.0	3.0	8.0	13.5
Hour House->Log Cabin	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.2	1.1	6.2
Hour House fish	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.8	1.8	1.8	1.8

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
901 P Street, Sacramento
P. O. Box 2000, Sacramento, CA 95812-2000

PETITION FOR CHANGE ENVIRONMENTAL INFORMATION

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 1651 & 2778 PERMIT NO. 1267 & 2492 LICENSE NO.

The following information will aid in the environmental review of your petition as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR PETITION TO BE ACCEPTED AS COMPLETE, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your petition being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form. If form WR 1-2 was completed during the application process describe the differences between those conditions and the present conditions.

DESCRIPTION OF CHANGES TO PROJECT:

1. Provide a brief description of the proposed changes to your project (CHANGES), including but not limited to type of construction activity, structures existing or to be built, area to be graded or excavated and operational changes.

It is proposed to transfer 10,000 AF in November of 2000 to the Environmental Water Account. The only changes as a result of this transfer is that Little Grass Valley Reservoir will be drawn down to 40,000 AF the normal carry over storage is 48,000 AF and Sly Creek Reservoir will be drawn down to 10,000 AF and the normal carry over storage is 12,000 AF. These storage levels and resulting flows in the South Fork Power Project are well within the operating limitations of the project and will not have any adverse impact.

WR 1-4 (10/90)

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your petition for change, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your CHANGES by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your CHANGES. The following questions are to aid us in that determination.

2. Contact your county planning or public works department for the following information:

- (a) Assessor's Parcel No. Not Required
 (b) County Zoning Designation _____
 (c) Will the county have to issue any permits or approvals for your CHANGES? No If yes, check appropriate spaces below:
 Grading Permit, _____ Use Permit, _____ Watercourse
 Obstruction Permit, _____ Change of Zoning, _____ General Plan
 Change, _____ Other: _____
 (d) If any permits have been obtained list permit type and permit number: _____
 (e) Person contacted _____ Date of contact _____
 Department _____ Telephone () _____

3. Are any additional state or federal permits required for your CHANGES? (i.e., Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources, Division of Dam Safety, Reclamation Board, Coastal Commission, State Land Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type No
 Person(s) contacted _____ Agency _____
 Date of contact _____ Telephone () _____

4. Have you (if you are a public agency) or any permitting agency prepared any environmental documents for your CHANGES? Yes

If so, you must submit a copy of the latest environmental document with this application, including a copy of the notice of determination.

If not, will any environmental documents be prepared by any permitting agency, or will you be preparing environmental documents for your CHANGES?

If so, explain: A copy of a report on the environmental effects of the 1990 Water Transfer to Westland's Water District was submitted to Div. Water Rights 6-15-91, and a follow up report was submitted 7-1-92.

Note: When completed, the final environmental document or notice of exemption must be submitted to the Board. Processing of your petition to change cannot proceed until such documents are submitted.

5. Will your CHANGES, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? No

If so, explain: _____

If you answered yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your CHANGES? No

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? _____

FISH AND WILDLIFE CONCERNS

Contact your regional office of the State Department of Fish and Game (DFG) to obtain the information requested in questions 9 through 17 (see page 6 for address and telephone number):

9. Person contacted Jim White
Date of contact 9-25-00 Telephone (916) 653-3540

10. According to the DFG representative, when did or when will a DFG representative visit the project site area? Not Required

What is the name of the DFG representative who made or will make the inspection of the project site area? _____

11. According to the DFG representative, will your CHANGES require a Streambed Alteration Agreement? No

12. According to the DFG representative, do any resident or migratory game or non-game fish species occur in the affected stream? Yes

If so, what species? Brown Trout, Rainbow Trout

What season of the year do they occur in the stream? Year Round

13. According to the DFG representative, do any plants or animals which are (1) federally identified as candidate, threatened, or endangered; (2) state listed as rare, threatened, or endangered; or (3) listed by the DFG Natural Diversity Data Base, occur in the project area? Yes

Will they be impacted by the CHANGES? No

If so, identify the species and explain how they will be impacted:

14. Does the DFG representative expect that your CHANGES will have an adverse effect on any resident or migratory fish populations, any wildlife populations, or any rare or endangered plant or animal species? No

If so, explain:

15. What measures relating to your CHANGES have been proposed by the DFG representative to protect fish, wildlife or endangered or rare species:

Maintain fish releases below dams as required by Federal

Energy Regulatory Commission License 2088.

16. Will you make changes in your project as recommended by DFG? Yes

If not, explain: _____

17. If your petition lists wildlife enhancement as a proposed use, describe your wildlife enhancement plans under question one above (attach additional pages as necessary).
According to the DFG representative, do your proposed CHANGES utilize a sound technique for the purpose of wildlife enhancement? No

EXISTING STORAGE OR DIVERSIONS

18. If you currently have an interest in any other appropriative water projects in the same watershed as this project, answer the following additional questions for each project:
Does the project have fish and wildlife protection requirements? Yes
If so, list the permit number and specific protection requirements for each project: Permit 11514, 11515, 11517

I. Fish Releases:

1. Downstream of Little Grass Valley Reservoir, South Fork Diversion Dam and Forbestown Diversion Dam:

May 1, to October 31, 10 cfs

November 1, to April 30, 5 cfs

50% reduction drought clause.

2. Downstream of Slate Creek Diversion Dam:

10 cfs or natural flows whichever is less.

II. Minimum Reservoir Storages:

Little Grass Valley 500 AF

Sly Creek 500 AF

III. Water Temperatures:

OWID works very closely with DWR to stay below maximum water temperatures at the Feather River Fish Hatchery according to the Water Transfer Contracts for 1990, 1991, 1992, and 1994. OWID will work again with DWR to assure water temperatures stay below the maximum allowable.

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date September 27, 2000 Signature Steven C. Onker

Steven C. Onker, Power Division Manager

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME

● REGIONAL OFFICES

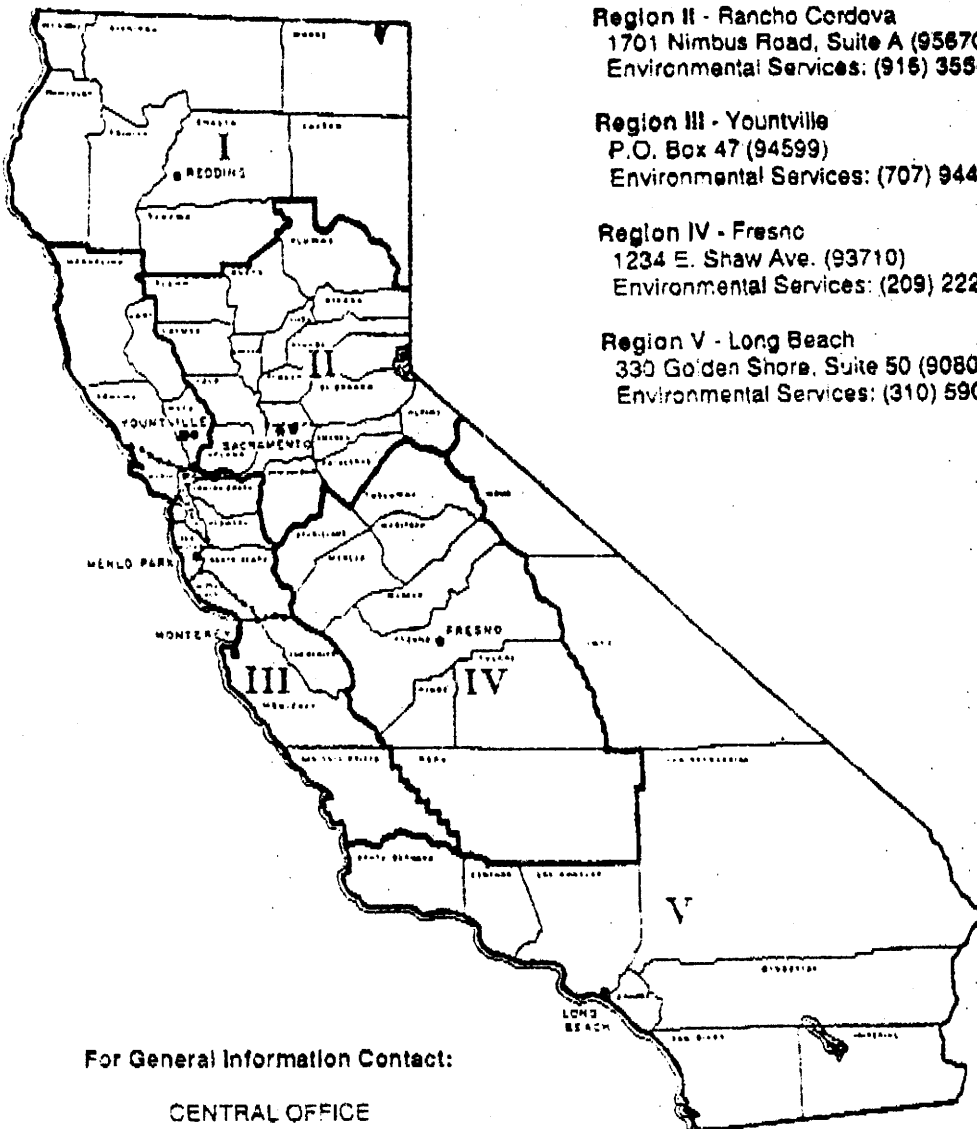
Region I - Redding
601 Locust Street (96001)
Environmental Services: (916) 225-2373

Region II - Rancho Cordova
1701 Nimbus Road, Suite A (95670)
Environmental Services: (916) 355-7030

Region III - Yountville
P.O. Box 47 (94599)
Environmental Services: (707) 944-5500

Region IV - Fresno
1234 E. Shaw Ave. (93710)
Environmental Services: (209) 222-3761

Region V - Long Beach
330 Golden Shore, Suite 50 (90802)
Environmental Services: (310) 590-5132



For General Information Contact:

CENTRAL OFFICE
Environmental Services
1416 - 9th Street, Room 1236-8
Sacramento, CA 95814

Water Rights Coordinator
(916) 653-9719

APPENDIX D

Letter From USBR to USFWS Entitled:

**Informal Consultation And Request For Concurrence
With Determination Of Not Likely To Adversely Affect
For Proposal To Use Water Acquired From Kern Water
Bank Authority For The Environmental Water Account**

MP-410
ENV-1.10

SEP 21 2000

MEMORANDUM

To: Field Supervisor, U.S. Fish and Wildlife Service, Sacramento CA
Attention: Wayne White

From: John F. Davis
FOR **MR. CHARLES B. JOHNSON JR.**
Regional Resources Manager

Subject: Informal Consultation and Request for Concurrence with Determination of Not Likely
to Adversely Affect for Proposal to Use Water Acquired from Kern Water Bank
Authority for the Environmental Water Account

In May 2000, Reclamation finalized an Environmental Assessment/Finding of No Significant Impact for the *Temporary Water Acquisition in Support of Bureau of Reclamation Water Year 2000-2003 Operations* that included a concurrence by the U.S. Fish and Wildlife Service that the proposed action of acquiring 72,000 acre-feet of water is not likely to adversely affect listed species. Referring to your memorandum dated May 19, 2000, this concurrence was conditional that if the acquired water were to remain in San Luis Reservoir after February 28, 2001, Reclamation would consult with the U.S. Fish and Wildlife Service on any future use of the water. Reclamation has determined that the acquired water may remain in storage at San Luis Reservoir past the above indicated date for use by the Environmental Water Account (EWA), once the EWA becomes operational. Reclamation has the ability to use this water until June 30, 2001, the period for which the State Water Resources Control Board action is approved. Although it is possible that the EWA may expend the 72,000 acre-feet prior to February 28, 2001, it is almost certain that this EWA asset will be expended before June 30, 2001. In either case the use of this EWA asset is to benefit listed species. No changes in use from those already documented in the referenced environmental assessment will occur. For these reasons, Reclamation has determined that this proposal is not likely to adversely effect any listed species nor adversely modify any designated critical habitat.

2

We would appreciate your written concurrence with our finding within 30 days upon receipt of this letter. Please contact Mary Johannis, our EWA Program Manager at (916) 978-5202 (TDD 978-5608) if you have any questions.

Thank you for your ongoing assistance with this project.

cc: Field Supervisor, U.S. Fish and Wildlife Service, Sacramento CA

Attention: Joel Miller

Endangered Species Division, U.S. Fish and Wildlife Service, Sacramento CA

Attention: Peter Cross

bc: MP-150, 400, 410